

USDC SOUTHERN DIST. NEW YORK
COUNTY OF NEW YORKGLOBAL PROCESS SERVICE CO., INC.
291 BROADWAY, SUITE 1504
NEW YORK, NY 10007
LIC. # 887-054

LEXINGTON INSURANCE COMPANY ET AND

- against -

Plaintiff(s)

LOCHINVAR CORPORATION ET AL

Defendant(s) SUMMONS, COMPLAINT, INDIV.
PRACT. OF MAGIS. THEODORE H. *

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK

ss:

STEVEN AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY
TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 01/07/08 at 0840AM Hours at C/O SEC. STATE 41 STATE STREET ALBANY, NEW YORK

deponent served the with SUMMONS, COMPLAINT, INDIV. PRACT. OF MAGIS. THEODORE H. *
F. DIGIACOMO & SONS, INC. on
therein named,INDIVIDUAL by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person
therin. (S) He identified (her) himself as such.CORPORATION XXX a (domestic) (foreign) corporation by delivering thereat a true copy of each to CHAD MATICE
personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said
individual to be AUTHORIZED AGENT thereofSUITABLE AGE PERSON by delivering thereat a true copy of each to
a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode)
within the state. (S) He identified (her) himself as of recipientAFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place
of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat,
having called there on the dates below: * KATZ AND JUDGE GEORGE B. DANIELSService upon the N.Y.S. Secretary of State under Section
306 of the B.C.L. and tendering a fee of \$40.00MAILING USE WITH C or D Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient
at said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service
within New York State.Deponent further states that he describes the person actually served as follows
Sex Skin Color Hair Color Age (Approx.) Height (Approx.) Weight (Approx.)

MALE WHITE BLACK 30 6'2 215

MILITARY SERVICE Above person has asked, whether the recipient (s) was (were) in the military service of the State of New York or the United States and
received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that
the recipient (s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes
of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.That at the time of such service deponent knew the person (s) so served as aforesaid to be the same person (s) mentioned and described
as the defendant(s) in this action.USE IN
NYC CIVIL CT:

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons (es).

01/08/08

SANDRA FARRON
Notary Public, State of New York
No. 01FA4784241
Qualified in Nassau County
Commission Expires Sept. 30, 2009STEVEN AVERY
LICENSE No.

114415